

Remarks

By the present amendment, Claims 1-6, 8-19, 21-25, and 27 remain pending. Claims 1-2, 12, 14, 16, 18, 21, and 23-24 have been amended, and Claims 7, 20, and 26 have been canceled. The Applicants respectfully submit that no new matter has been added by the foregoing amendments. Reconsideration of the application, as amended, is requested.

Claim Rejections Under 35 U.S.C. § 102

In the non-final Office Action, Claims 1-4 and 6-27 were rejected under 35 U.S.C. 102(b) as being anticipated by "Open Financial Exchange Bill Presentment" by CheckFree Corp., Intuit Inc., and Microsoft Corp., June 12, 1997 (hereinafter "*Open Financial Exchange*"). The Applicants' representative, William Cook, participated in two telephonic interviews with the Examiner on August 22, 2007 and October 9, 2007 to discuss this cited *Open Financial Exchange* reference as well as the distinguishing functionality of the Applicants' invention and potential amendments to the claims to further distinguish the claims from the *Open Financial Exchange* disclosure. In short, the *Open Financial Exchange* disclosure describes presenting a bill to a user through a URL to a bill image, where the URL may contain navigation to other sites or to other pages of bill images at the same site. (See pages 325-328).

However, the Applicants respectfully assert that *Open Financial Exchange* does not teach or suggest all of the claim recitations of currently amended independent Claims 1, 12, 18, and/or 23. Specifically, *Open Financial Exchange* does not teach or suggest (1) the association of a first user with information to be presented with a first bill, wherein an indicator of that association is stored; and (2) in response to a first request received from the first user, determining the information to be presented with a first bill based on the indicator associated with the first user. Such functionality is now included in the claim elements of the amended independent claims. Further, as described in dependent Claims 2, 16, 21, and 24, the information to be presented with the first bill may be promotional information.

The amendments to amended independent Claims 1, 12, 18, and 23 are supported by the Applicants pending patent application (See e.g., pages 54-66 of the Applicants' application):

[T]he system allows the biller to select those users who will be directed to a first network address which is preferably, although not necessarily, one controlled by the biller, and those users who will be directed to some other network address, e.g. a different network address controlled by the biller or some other entity, for servicing. For example, different users may be directed to different addresses and/or entities for the presentment of a detailed bill and/or supplemental information such as special offerings. Hence, this alternative system allows billers to choose which users will be directed, for example, to a biller's network address and provided with an enriched presentation experience, and which users will be serviced by the EPCS or some other entity, or at some other biller network address and provided a somewhat different presentment experience.

The database component 32 associated with the billing entity 56 stores a flag or other indicator, sometimes referred to as a "magnet", in the biller-specific subscriber profile data which indicates those users which are to be directed to, for example, the biller for presentment of bills or promotional information that supplements the bill. Users which are not flagged might be presented bills and/or general promotional information by the EPCS, or some other entity, such as a separate bill aggregator or alternative bill presentment and payment system. Alternatively, these non-flagged users could be presented bills and/or general promotional information by the biller, but from a network address different than the address used to present bills and/or special promotional information to the flagged users.

(Pages 56-57). Such use of an indicator to associate a first user with information to be presented with a first bill and, in response to a first request received from the first user, determining the information to be presented with a first bill based on that indicator, constitutes functionality not taught or suggested by *Open Financial Exchange*. Therefore, the Applicants respectfully assert that amended independent Claims 1, 12, 18, and 23 are not anticipated by *Open Financial*

Exchange and are in condition for allowance. Additionally, each of the pending dependent claims are allowable as a matter of law as being dependent on allowable base claims, notwithstanding the independent recitation of patentable subject matter that may be described in one or more of the dependent claims. Therefore, allowance of the pending claims is respectfully solicited.

Claim Rejections Under 35 U.S.C. § 103

Claim 5 was rejected under 35 U.S.C. 103(a) as being unpatentable over *Open Financial Exchange*. Claim 5 is allowable for at least the reasons listed above for Claims 1-4, 6, 8-19, 21-25, and 27. Therefore, the Applicants respectfully assert that the rejection of Claim 5 under 35 U.S.C. 103(a) is moot for at least the reasons listed above for Claims 1-4, 6, 8-19, 21-25, and 27.

CONCLUSION

The foregoing is believed to be a full response to the Office Action. In the event that any additional fees are required, the Patent Office is hereby authorized to charged Deposit Account No. 19-5029. If there are any issues that can be resolved by a telephone conference or an Examiner's amendment, the Examiner is invited to call the undersigned attorney at (404) 853-8253.

Respectfully submitted,



William T. Cook
Attorney for the Assignee
Registration No. 58,072

DATE: October 24, 2007

SUTHERLAND ASBILL & BRENNAN LLP
999 Peachtree Street, NE
Atlanta, GA 30309-3996
(404) 853-8253 (phone)
(404) 853-8806 (facsimile)

Attorney Docket No.: **23952-0022**